

MESSAGE NO: 8337201

MESSAGE DATE: 12/02/2008

MESSAGE STATUS: Active

CATEGORY: Antidumping

TYPE: COR

PUBLIC ☒

NON-PUBLIC ☐

SUB-TYPE:

FR CITE: FR

FR CITE DATE:

REFERENCE 8312201  
MESSAGE #  
(s):

CASE #(s): A-570-891

EFFECTIVE DATE:

COURT CASE #:

PERIOD OF REVIEW:

TO

PERIOD COVERED: 05/24/2004 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: CORRECTION OF LIQUIDATION INSTRUCTION MESSAGE 8312201 DATED  
11/07/2008 FOR HAND TRUCKS AND PARTS THEREOF FROM CHINA (A-570-891)

MESSAGE NO: 8337201

DATE: 12 02 2008

CATEGORY: ADA

TYPE: COR

REFERENCE: 8312201

REFERENCE DATE: 11 07 2008

CASES: A - 570 - 891

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PERIOD COVERED: 05 24 2004 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS  
PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: CORRECTION OF LIQUIDATION INSTRUCTION MESSAGE 8312201  
DATED 11/07/2008 FOR HAND TRUCKS AND PARTS THEREOF  
FROM CHINA (A-570-891)

1. ON 10/15/2008 THE DEPARTMENT OF COMMERCE ISSUED A FINAL  
SCOPE RULING WITH RESPECT TO REISENTHEL ACCESSORIES'  
"CARRYCRUISER".

2. IN NUMEROUS PARAGRAPHS OF MESSAGE NUMBER 8312201, THE  
DEPARTMENT INCORRECTLY IDENTIFIED THE COMPANY IN QUESTION AS  
REISENTHEL ASSOCIATES, RATHER THAN THE CORRECT NAME, WHICH IS  
REISENTHEL ACCESSORIES. BECAUSE THIS ERROR OCCURS IN NUMEROUS  
PARAGRAPHS IN MESSAGE NUMBER 8312201, WE ARE TRANSMITTING THE

ENTIRE CORRECTED VERSION OF THE MESSAGE, PARAGRAPHS 1 THROUGH 9, UNDER PARAGRAPH 3 BELOW.

3. MESSAGE NUMBER 8312201 SHOULD READ AS FOLLOWS:

1. THE DEPARTMENT RECEIVED A SCOPE RULING REQUEST FROM REISENTHL ACCESSORIES. THE DEPARTMENT OF COMMERCE ISSUED A FINAL SCOPE RULING ON 10/15/2008 THAT REISENTHL ACCESSORIES' CARRYCRUISER IS NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER COVERING HAND TRUCKS AND CERTAIN PARTS THEREOF FROM THE PRC (A-570-891).

2. THE COMMERCE DEPARTMENT DETERMINED THAT REISENTHL ACCESSORIES' CARRYCRUISER HAS NEITHER A PROJECTING EDGE NOR A TOE PLATE WHICH CAN SLIDE UNDER A LOAD FOR PURPOSES OF LIFTING AND/OR MOVING THE LOAD. SECONDLY, THE CARRYCRUISER HAS NO SURFACE OR STRUCTURE AGAINST WHICH TO REST A LOAD FOR TRANSPORT. THIRDLY, THE LIGHTWEIGHT CONSTRUCTION AND FORM OF THE CARRYCRUISER, WITH ITS INTEGRAL TEXTILE BAG, RENDERS THE

CARRYCRUISER TOO LIGHTWEIGHT AND INSUBSTANTIAL FOR USE AS A HANDTRUCK. THEREFORE, REISENTHL ACCESSORIES' CARRYCRUISER IS NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER COVERING HAND TRUCKS AND CERTAIN PARTS THEREOF FROM THE PRC.

3. EFFECTIVE 10/15/2008, TERMINATE SUSPENSION AND LIQUIDATE ALL UNLIQUIDATED ENTRIES ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER 05/24/2004 OF REISENTHL ACCESSORIES' CARRYCRUISER LISTED ABOVE.

4. REFUND ANY CASH DEPOSITS WITH INTEREST AND RELEASE ANY BONDS RELATING TO THE REISENTHL ACCESSORIES' CARRYCRUISER LISTED ABOVE.

5. THESE INSTRUCTIONS CONSTITUTE NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF THE REISENTHL ACCESSORIES' CARRYCRUISER ENTERED, OR WITHDRAWN FROM WAREHOUSE,

FOR CONSUMPTION ON OR AFTER 05/24/2004.

6. THE ASSESSMENT OF ANTIDUMPING DUTIES BY CUSTOMS AND BORDER PROTECTION ON ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CBP PAY INTEREST ON OVERPAYMENTS, OR ASSESS INTEREST ON UNDER PAYMENTS, OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE PAYMENT OF ESTIMATED ANTIDUMPING DUTIES IS REQUIRED THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

7. CONTINUE TO SUSPEND LIQUIDATION OF ENTRIES OF HAND TRUCKS AND CERTAIN PARTS THEREOF SUBJECT TO THE ANTIDUMPING DUTY ORDER COVERING HAND TRUCKS AND CERTAIN PARTS THEREOF FROM THE PEOPLE'S REPUBLIC OF CHINA.

8. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577 RESPECTIVELY (GENERATED BY 07:DC).

9. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

DAVID M. GENOVESE

## Company Details

\*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party